



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE DR.
GABRIELLA VELLA**

Sitting of the 19 th July, 2011

Number 822/2011

**The Principal Immigration Officer
(Inspector Mario Haber)**

Vs

Mohamed Awa

The Court,

After having seen the charge brought against Mohamed Awa, Ghana National born in Togo in 1990, son of Hassan and Mariam, holder of Police Number 08DDD-028, of having in June 2011, as a person with landing or embarking from Malta, failed to provide the Principal Immigration Officer the prescribed information and such other information that the Principal Immigration Officer may deem proper to require (Sec 28 of Chapter 217 of the Laws of Malta);

After having examined all documents forming part of the proceedings;

After having heard the accused plead guilty to the charge brought against him notwithstanding the fact that the Court in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned him in the most solemn manner of the legal consequences of his guilty plea after having given him sufficient time within which to reconsider and withdraw his guilty plea;

In the light of the guilty plea submitted by the accused, the Court has no alternative but to find him guilty of the charge brought against him;

With regards to the punishment the Court heard submissions by the Prosecuting Officer and Defense Counsel and took into consideration the fact that the accused fully co-operated with the Police, that he submitted an early guilty plea and that he has a clean criminal record;

Therefore whilst having seen and considered Sections 28 and 32 of Chapter 217 of the Laws of Malta, the Court finds the accused guilty of the charge brought against him and condemns him to one (1) year imprisonment however, since the Court is of the opinion that there are sufficient reasons which warrant that the said term of imprisonment be suspended, in terms of Section 28A of Chapter 9 of the Laws of Malta, suspends the said term of one (1) year imprisonment for a period of three (3) years from date of this judgment;

In terms of Section 28A(4) of Chapter 9 of the Laws of Malta the Court has explained to the accused in plain language his liability under Section 28B of Chapter 9 of the Laws of Malta if during the operational period he commits an offence punishable with imprisonment.

< Final Judgement >

Informal Copy of Judgement

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